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9/22/03**Practitioner's Docket No. 2001-01442****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Loubser, Paul G.

Application No.: 09/772,234

Art Unit No.: 3761

Filed: January 29, 2001

Examiner: Patel, M.B.

For: Superglottic &amp; Peri-Laryngeal Apparatus For Supraglottic Airway Insertion

**Mail Stop RCE**  
**Commissioner For Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**SUPPLEMENTAL REQUEST FOR CONTINUED EXAMINATION ("RCE")**  
**(37 CFR § 1.114)**

1. Applicant hereby supplements his request for continued examination, in accordance with 37 CFR §1.114, for the above identified application.

**TIME REQUEST IS BEING MADE**

2. Applicant's original request was submitted prior to abandonment of the application and within 30 days of the Advisory Action dated July 3, 2003 — on July 9, 2003. The instant supplemental request is being made within the same week when applicant was notified via telephone by Examiner Patel on September 8, 2003.

**FILING STATUS**

3. Applicant filed an amendment on June 12, 2003 in response to the Final Office Action dated January 14, 2003. Examiner Patel issued an Advisory Action on July 3, 2003 on the basis that Applicant's proposed amendment was not entered because it raised new issues that would require further consideration and or search, and presented additional claims without cancelling a corresponding number of finally rejected claims. Applicant then promptly filed a RCE on July 9, 2003. On September 8, 2003, however, Examiner Patel informed applicant that he needed to explicitly request that his un-entered amendment be entered and considered or that applicant take other action consistent with his RCE. Accordingly, applicant requests that the Examiner enter and consider his amendment of June 12, 2003 which is submitted herewith.

**FEE FOR REQUEST (37 CFR § 1.17(e))**

4. This application is on behalf of a small entity (and status is still as small entity); the Continued Prosecution Request Fee is \$375 which has already been paid.

**FEE FOR CLAIMS**

5. No additional fee for the claims in the application (37 C.F.R. § 1.16(b)-(d)) is required; the fee has been calculated as shown in the following tabulation:

(Col. 1)	(Col. 2)	(Col. 3)	SMALL ENTITY	OTHER THAN A SMALL ENTITY
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	ADDITIONAL FEE	ADDITIONAL FEE
TOTAL = 12	MIN JS 20	0.00	0.00	
INDEP. = 1	MIN JS 3	0.00	0.00	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		0.00	0.00	
TOTAL ADDITIONAL FEE		0.00		

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

Thus, no additional fee for the claims is required.

**EXTENSION OF TIME**

6. The proceedings herein are for a patent application, and the provisions of 37 CFR § 1.136(a) apply. Applicant is petitioning for an additional one-month extension of time, which corresponds a six-months extension of time; accordingly, a fee of \$465 for the six-month of a six-months extension of time is due under 37 CFR § 1.17(a)(1)-(4). But, since applicant has previously paid \$205 for a two-month extension of time, \$260 is due with this supplemental RCE.

**TOTAL FEE(S) DUE**

7. The total fee(s) due are:

Continued Prosecution Fee (§ 1.17(e))	\$0.00
Fee(s) for additional claims (§ 1.16(b)-(d))	\$0.00
Fee for an Extension of Time (§ 1.136(a))	\$260.00
<b>Total Fee(s) Due:</b>	<b>\$260.00</b>

**PAYMENT OF FEE(S) DUE**

8. Please pay the fee(s) for this continued examination application as follows:

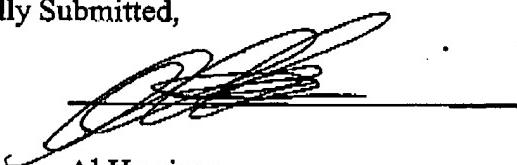
Please charge the sum of \$260 and any other required additional fee(s) for §§ 1.17(e), 1.16(b)-(d) and/or 1.17(a)(1)-(4) to Deposit Account No. 08-0879.

**INVENTORSHIP**

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Respectfully Submitted,

Date: 9/9/2003



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(Request for Continued Examination (RCE)—page 3 of 3)

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COMPUTER LAW &amp; RELATED MATTERS

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DATE:

September 10, 2003

TO:

**Examiner M.B. Patel, Art Unit 3761**

FIRM:

Commissioner For Patents

FAX NO:

703-746-3388 TEL. NO: 703-306-54444

MATTER:

Ser. No. 09/772,234; Filed 1/29/2001

RE:

Supplemental RCE &amp; Submission

FROM:

Al Harrison NO. OF PAGES TO FOLLOW: 18

A confirmation copy of this facsimile is being forwarded by:

[ ] Regular Mail [ ] Express Mail [ ] Email [ ] Messenger [X] None

MESSAGE:

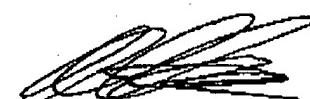
Thank you for the professional courtesy informing that the RCE filed on 7/9/2003 should be supplemented in accordance with 37 CFR 1.114. Enclosed is applicant's supplemental RCE including the un-entered and not-yet-considered amendment which applicant requests that you enter and consider in due course. I have requested that any payments be charged against our deposit account.

Don't hesitate to call if there is anything else that I can do to help expedite the examination of this application. If there is no answer at my office number, I invite you to call my cell @ 713-857-2542. For your information, I will be leaving for Montreal on Friday morning for a 10-day vacation. I plan to be checking email regularly and would otherwise like to help resolve any issues that may arise regarding this application. Thank you.

CERTIFICATE OF MAILING/FACSIMILE UNDER 37 CFR 1.8(a)

I hereby certify that the enclosed supplemental RCE and submission are being faxed to Examiner Patel @ 703-746-3388.

9-10-2003  
Date



Al Harrison  
Attorney for Applicant

FOR ANY PROBLEMS RECEIVING THIS TRANSMISSION, PLEASE CONTACT:  
Maureen Reilley @ 713-223-4034

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